

UNITED STATES DISTRICT COURT

for

The District of Massachusetts

Request for Summons and Modification of the Conditions or Term of Supervision

Name of Offender: Lebrun, David Case Number: 4:05CR40029

Name of Sentencing Judicial Officer: The Honorable Terrence W. Boyle, U.S. District Judge, ED/NC

Date of Original Sentence: March 28, 2005

Original Offense: Possession of a Firearm While Subject to a Domestic Restraining Order

Transfer of Jurisdiction to the D/MA: May 12, 2005 The Honorable F. Dennis Saylor, IV, U.S. District Judge

Original Sentence: 5 years probation

Type of Supervision: Probation Date Supervision Commenced: March 28, 2005

PETITIONING THE COURT

The offender, not having waived a hearing, the probation officer requests that a summons be issued and hearing held to modify the conditions of supervision as follows:

The defendant is not to consume alcoholic beverages.

CAUSE

The probation officer believes that the action requested above is necessary for the following reasons:

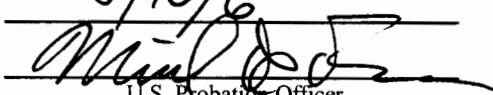
On February 17, 2006, during an unannounced home visit to Mr. Lebrun's residence, USPO Forman observed approximately nine (9) to twelve (12) empty cases of Michelob Light beer in his living room. Mr. Lebrun admitted to consuming beer but denied that all of the empty beer cans were from his consumption. Mr. Lebrun claimed that he had been collecting the beer cans for a long period of time and that some of the empty beer cans belonged to his brother. It is noted that USPO Forman conducted a home visit on January 27, 2006, and no beer cans were observed in the home at that time.

USPO Forman also observed damage in two separate areas of the living room wall, where it appeared that something had impacted the wall causing the plaster to be pushed into the drywall. There was also damage to a dishwasher door in the kitchen. Mr. Lebrun was addressed regarding this issue and possible concerns of domestic violence in the home. Mr. Lebrun claimed that a repair man caused the damage to the dishwasher and he accidentally caused damage in the wall from opening a closet door. Mr. Lebrun could not explain what caused the damage in the other area of the wall.

On March 3, 2006, an Administrative Hearing was held before SUSPO Howarth. During this hearing Mr. Lebrun was requested to sign a modification to the conditions of his supervised release to prohibit alcohol consumption. Mr. Lebrun refused to agree to this modification and has requested a hearing before Your Honor.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on:

3/10/6

U.S. Probation Officer

THE COURT ORDERS:

☐ No action.

☒ The issuance of a summons.

☐ Other: _____



Signature of Judicial Officer

3.13.2006

Date